IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 6964 of 2007(S)

CRIME NO. 518/07 OF NARAKKAL POLICE STATION
MP.5235/2007 of J.M.F.C.-I,KOCHI

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PETITIONER/ACCUSED:

SANTHOSH, S/O. RAMAN,
AYYANTHAZHATH VEEDU, MURIPPADOM BAGOM,
EDAVANAKKADU KARA P.O., NORTH PARAVUR.

BY ADV. SRI.LIJU. M.P
SRI.G.PADMARAJ

RESPONDENTS: STATE:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM (SUB INSPECTOR OF POLICE, NARAKKAL
POLICE STATION, CRIME NO.518 OF 2007).

BY PUBLIC PROSECUTORSRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 6964 of 2007

- -

Dated this the 19th day of November, 2007

O R D E R

Application for regular bail. The petitioner faces allegations in a crime registered under Section 307 I.P.C. and altered later to Section 302 I.P.C. He is alleged to have caused the death of his wife by burning. The alleged incident took place on 11.8.2007. The petitioner was arrested on 15.8.2007. Admittedly the final report has not been filed even now.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the application - a period of 90 days having already elapsed from the date of the arrest and the final report having not filed yet - and I am satisfied that the petitioner can be granted bail by default under the proviso to Section 167(2) Cr.P.C.

4. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(c) Except for the purpose of complying with condition No.(b) above, the petitioner shall not enter the Sessions Division of Ernakulam during the said period of three months, without the prior permission of the learned Magistrate. The petitioner shall furnish to the Investigating Officer within seven days of his release the address of his place of residence outside the Sessions Division of Ernakulam.

(R. BASANT)
Judge

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